

Customer No.: 31561  
Application No.: 10/604,131  
Docket No.: 10461-US-PA

**To the Drawings:**

Please substitute the attached clean drawing of Fig. 1 for the pending drawing of Fig.

1.

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### **REMARKS**

This is a full and timely response to the outstanding nonfinal Office Action mailed Nov. 16, 2005. Applicants submit that Paragraphs 0024, 0025 and 0027 have been amended for better readability, and some typing errors have also been corrected as the Examiner instructed while no new matter is entered. Independent claim 1 and a drawing, FIG. 1, have also been amended. Support to the changes can be found in the specification, specifically 0024 and 0025. Reconsideration and allowance of the application and presently pending claims 1-11 are respectfully requested.

### **Specification And Drawings**

The disclosure and the drawing are objected to because of some informalities. Responsive to the objections thereto, Applicants have amended the title, and the specified paragraphs and drawing as instructed by the Examiner. Some other minor errors are also corrected for better readability, while no new matter has been entered. As such, the specification and the drawings are now in the form of allowance.

### **Claim Rejection**

Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

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Responsive to the rejection to claims 1-11 under 35 U.S.C. 112, first paragraph, Applicants have amended the claim 1 and hereby otherwise traverse this rejection. As such, claims 1-11 are submitted to be patentable in accordance with the enablement requirement under 35 U.S.C. 112, first paragraph.

As set forth in claim 1, as currently amended, when a user touches the metal slice, an AC signal is then generated. Applicants agree with the assumption stated on Page 5 of the Office Action that the metal slice generating an AC signal referring to the known effect of the human body transmitting the power signal transmitted within the surrounding power grid (standard electrical power being sent through power lines to electrical sockets and outlets). The signal is coupled to the human body and can be measured. When the user touches a metallic object this AC power signal is transmitted to the metal.

Applicants submit that such a subject matter is a typical contacting sensor that is well understood by those with ordinary skills in the art. For example, the cited Adelson discloses a touch responsive circuit that functions using "an antenna element comprising a body portion of the electrically conductive material which can assume any shapes, forms a touch responsive element (col. 3, lines 6-9; Fig. 1, element 5)" (Page 6 of the Office Action). The Examiner also noted "that the antenna could be a metal slice and when the antenna is touched, an AC is coupled through the human body to the rest of the circuit for use as a switch signal (col. 4, lines 25-65)" (Pages 6 and 7 of the Office Action). Since Adelson is filed in 1969, the principle therefore has become well known to those with ordinary skills in the art a time long enough to enable any person skilled in the art to which it pertains to make and use the contacting sensor.

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**Claim Rejections – 35 U.S.C. § 103**

The Office Action rejected claims 1-11 under 35 U.S.C. 103(a) as being unpatentable over Dutta US 20020163524 in view of Adelson et al. US 3,530,312.

In response to the rejection to claims 1-11 under 35 U.S.C. 103(a) as being unpatentable over Dutta US 20020163524 in view of Adelson et al. US 3,530,312, Applicants have amended claim 1 and hereby otherwise traverse this rejection. As such, Applicant submits that claims 1-11 are now in condition for allowance.

With respect to claim 1, as currently amended, recites in part:

A hand-held apparatus ... comprising:  
... when the metal slice is touched by a user, the display is turned on and the on state is maintained until the metal slice is touched again.

Applicants submit that such a hand-held apparatus as set forth in claim 1, as currently amended, is neither taught, disclosed, nor suggested by Dutta US 20020163524, Adelson et al. US 3,530,312, or any of the other cited references, taken alone or in combination.

Dutta US 20020163524 and Adelson et al. US 3,530,312, taken alone or in combination, fail to teach, suggest or disclose "when the metal slice is touched by a user, the

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display is turned on and the on state is maintained until the metal slice is touched again" that is required by the present hand-held apparatus, as set forth in claim 1, as currently amended. Therefore, claim 1, as currently amended is novel, unobvious over Dutta US 20020163524 and Adelson et al. US 3,530,312, taken alone or in combination, and should be allowed.  
MPEP §2143.03

If independent claim 1 is allowable over the prior art of record, then its dependent claims 2-11 are allowable as a matter of law, because these dependent claims contain all features of their respective independent claim 1. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

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### CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-11 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date : *March 15, 2006*

Respectfully submitted,

*Belinda Lee*  
Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office  
7<sup>th</sup> Floor-1, No. 100  
Roosevelt Road, Section 2  
Taipei, 100  
Taiwan  
Tel: 011-886-2-2369-2800  
Fax: 011-886-2-2369-7233  
Email: [belinda@jicpgroup.com.tw](mailto:belinda@jicpgroup.com.tw)  
[Usa@jicpgroup.com.tw](mailto:Usa@jicpgroup.com.tw)